

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:03CV605-MU

GERALD FORREST.

Plaintiff,

vs.

TRANSIT MANAGEMENT OF
CHARLOTTE, INC.,

Defendant.

ORDER

His matter is before the court upon its own motion. This case is set for trial on November 14, 2006. There appears to be some confusion as to whether this will be a jury or non-jury trial. Although Plaintiff did not originally file a jury demand, he did file a "Motion for Jury Trial. Setting" on October 4, 2005. Since Plaintiff is *pro se*, the court construed his motion as a demand for a jury trial and entered an Order on December 27, 2005 indicating that if the parties had any objection to this, they should indicate this objection in writing within ten days. No objections were filed. Thus, this court has operated under the understanding that this case will be tried before a jury. A jury has been summoned for November 14 and the court intends to try this case before a jury. Accordingly,

IT IS THEREFORE ORDERED that the Defendant is directed to file its proposed jury issues and jury instructions forthwith.

Signed: October 16, 2006



Graham C. Mullen
United States District Judge

